

No. 1703

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Relations of the Republic of Colombia and, referring to an agreement done by exchange of notes on August 10 and September 25, 1992, at Bogotá, concerning payment to the United States of net proceeds from the sale of defense articles furnished on a grant basis, proposes that the agreement be amended.

The agreement would be amended by replacing "under the military assistance program of" with "on a grant basis from" in the second paragraph.

As a result of this amendment, the agreement would read as follows:

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Relations of the Republic of Colombia and has the honor to refer to recent discussions between representatives of the two governments regarding provisions of United States law which prohibit the United States Government from furnishing defense articles on a grant basis to any government, unless that government shall have agreed to pay to the United States the net proceeds of sale received by it in disposing of defense articles so furnished.

DIPLOMATIC NOTE

In accordance with that statutory provision, it is proposed that the Government of Colombia agree that the net proceeds of sale received by the Government of Colombia in disposing of any weapon, weapons system, munition, aircraft, military boat, military vessel, or other defense article, including scrap from any such defense article, received heretofore or hereafter on a grant basis from the United States government will be paid to the United States government and shall be available to pay all official costs of the United States including all costs relating to the financing of international educational and cultural exchange activities in which the Government of Colombia participates.

It is understood that this agreement does not affect any prior agreement by the Government of Colombia to return to the United States Government any defense articles furnished by the United States Government on a grant basis when such articles are no longer needed for the purposes for which they were furnished, without the consent of the United States Government to another disposition.

It is further proposed that the Foreign Ministry's reply stating that the foregoing is acceptable to the Government of Colombia shall, together with this note, constitute an agreement between our governments on this subject, to be effective from the date of the Foreign Ministry's reply."

If this proposal is acceptable to the Government of the Republic of Colombia, the Embassy proposes that this note and the Ministry's affirmative note in reply shall constitute an agreement between the two

governments which shall enter into force on the date of the Ministry's reply.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Relations of the Republic of Colombia the assurances of its highest consideration.



Embassy of the United States of America

Bogotá, D.C., July 21, 2004



---

Translation

---

REPUBLIC OF COLOMBIA  
Ministry of Foreign Relations

OAJ.CAT No. 20115

Bogotá, D.C., April 20, 2005

Mr. Ambassador:

I am pleased to refer to Note No. 1703 of July 21, 2004, requesting the amendment of the agreement done by exchange of notes on September 25, 1992, at Bogotá, concerning payment to the United States of net proceeds from the sale of defense articles furnished on a grant basis, the text of which reads as follows:

[See U.S. Note.]

I have the honor to inform Your Excellency that the Government of the Republic of Colombia accepts the terms of the above-transcribed note, and, consequently, that said note and this reply shall constitute an agreement between both governments, which shall enter into force as of the date of this reply.

[Complimentary close]

[s] Carolina Barco  
Minister of Foreign Relations

His Excellency  
William Braucher Wood;  
Ambassador of the United States of America,  
Bogotá, D.C.